

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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MICHELLE THOMPSON,	)	
	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION
v.	)	NO. 04-12301-RGS
	)	
BLOCKBUSTER INC. and JAY WELLS,	)	
	)	
	)	
Defendants.	)	
	)	

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**DEFENDANT BLOCKBUSTER INC.'S CROSS-MOTION FOR PROTECTIVE ORDER**

Consistent with Rule 26(c)(2), and in response to the Plaintiff's Motion for Protective Order, Defendant, Blockbuster Inc. ("Blockbuster") moves this Court for a Protective Order requiring that the deposition of third party witness Diane Sirard occur with Blockbuster's corporate representative, Beth Neybert, present, and that the deposition take place in the courthouse or, alternatively, in Blockbuster's counsel's Boston office. Such Order will protect the interests of the witness and both parties.

In support of this Motion, Blockbuster submits its Memorandum In Opposition to Plaintiff's Motion for Protective Order and in Support of its Cross Motion for Protective Order.

Wherefore, Blockbuster respectfully requests that the Court issue the Order in the attached Tab A, requiring that the deposition of third party Diane Sirard occur upon the terms specified therein.

**Local Rule 7.1(A)(2) Certification**

Pursuant to Local Rule 7.1(A)(2), counsel for the Blockbuster states that given plaintiff's Motion to exclude Blockbuster's corporate representative from the deposition, no narrowing of the issues is possible.

Respectfully Submitted,

**BLOCKBUSTER INC.**

By its attorneys,

/s/ Jenny K. Cooper  
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Jenny K. Cooper, BBO# 646860  
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Dated: June 15, 2006

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15th day of June, 2006, I caused a true copy of the above document to be served electronically on counsel of record registered with the Electronic Case Filing System (ECF).

/s/ Jenny K. Cooper  
Jenny K. Cooper